

**MEMO ENDORSED**

U.S. Department of Justice

United States Attorney  
Southern District of New YorkUSC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 09/17/202186 Chambers Street  
New York, New York 10007

September 17, 2021

VIA ECFHon. Valerie E. Caproni  
United States District Judge  
United States District Court  
40 Foley Square  
New York, New York 10007**Re: *Belem, et al. v. Renaud, et al.*, No. 21 Civ. 4093 (VEC)**

Dear Judge Caproni:

This Office represents the government in this action in which the plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Petition for Alien Relative (Form I-130) and Application to Register Permanent Residence or to Adjust Status (Form I-485). I write respectfully to request an on-consent extension of time for the government to respond to the complaint from September 21 to October 21, 2021, and an adjournment of the October 8 initial conference to the week of November 1, 2021, or thereafter.

As previously noted, USCIS has approved the Form I-130 and issued a Request for Evidence (“RFE”) regarding the Form I-485. *See* ECF No. 27. The plaintiffs subsequently responded to the RFE. USCIS is reviewing that response and anticipates that it may be able to take adjudicative action within the requested extended period, which potentially could render this case moot. This is the third request to adjourn the initial conference and the second request for an extension.<sup>1</sup> The plaintiff consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

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cc: Counsel of record (via ECF)

<sup>1</sup> On June 21, 2021, the parties jointly requested an adjournment of the initial conference. *See* ECF No. 25. On July 21, 2021, the government requested a second adjournment and a first extension of its time to respond to the complaint. *See* ECF No. 27. The Court granted the requests. *See* ECF Nos. 26, 28.

Application GRANTED.

Defendant's time to answer, move, or otherwise respond to the Complaint is adjourned to **Thursday, October 21, 2021**. The initial pre-trial conference, currently scheduled for Friday, October 8, 2021 at 11:00 A.M., is hereby adjourned to **Friday, November 5, 2021 at 11:00 A.M.** Pre-conference submissions are due no later than **Thursday, October 28, 2021**. Absent extraordinary circumstances, the Court is unlikely to grant further extensions.

For the conference call information and a description of the pre-conference submission requirements, the parties should consult the Court's order at docket entry 16.

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Valerie Caproni', is written over a horizontal line.

Date: September 17, 2021

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE